

Amendments to the Claims

Please cancel Claims 11 and 12 without prejudice or disclaimer, and amend Claim 13 as indicated in the following listing of claims, which replaces all prior versions and listings of claims.

1. (Original) A method for protecting consumer personal data, the method comprising:
- receiving an application for a payment instrument, wherein the application comprises personal data and a privacy preference of a consumer;
 - saving the application in electronic form in a database; and
 - storing at least some of the personal data and the privacy preference onto the payment instrument.
2. (Original) A method as in claim 1, wherein the payment instrument comprises a credit or debit card having a magnetic stripe, and wherein at least some of the personal data and the privacy preference are electronically stored on the magnetic stripe.
3. (Original) A method as in claim 1, wherein the payment instrument comprises a check, and wherein the privacy preference is printed onto the check.
4. (Original) A method as in claim 1, wherein the payment instrument comprises a credit or debit card with a processor and electronic memory, and wherein the personal data and the privacy preference are electronically stored in the memory.
5. (Original) A method as in claim 1, further comprising reading the personal data and the privacy preference at a merchant location when the consumer is

making a purchase using the payment instrument, and saving the personal data and the privacy preference at a merchant storage location.

6. (Original) A method as in claim 5, further comprising mailing marketing material to the consumer only if permitted by the consumer's privacy preference.

7. (Original) A method as in claim 1, wherein the privacy preference indicates that the consumer would like to receive marketing material only from merchants that the consumer does business with.

8. (Original) A method as in claim 1, wherein the privacy preference indicates that the consumer would like to receive marketing material only from merchants that the consumer does business with and their affiliates.

9. (Original) A method as in claim 1, wherein the privacy preference indicates that the consumer would like to receive marketing material only from the bank that the consumer does business with.

10. (Original) A method as in claim 1, wherein the privacy preference indicates that the consumer does not want any marketing material.

11. – 12. (Canceled).

13. (Currently Amended) A method for protecting consumer personal data, the method comprising:

providing the consumer with a payment instrument having stored thereon a privacy preference;

reading the privacy preference from the ~~negotiable~~ payment instrument
when making a purchase at a merchant location;
saving the privacy preference in a merchant database; and
contacting the consumer only in accordance with the privacy preference.

14. (Original) A method as in claim 13, wherein the payment instrument
comprises a credit or debit card having a magnetic stripe, and wherein at least some of
the personal data and the privacy preference are electronically stored on the magnetic
stripe.

15. (Original) A method as in claim 13, wherein the payment instrument
comprises a check, and wherein the privacy preference is printed onto the check.

16. (Original) A method as in claim 13, wherein the payment instrument
comprises a credit or debit card with a processor and electronic memory, and wherein the
personal data and the privacy preference are electronically stored in the memory.